

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHARLES DANIEL JR.,

Plaintiff,

v.

L'MENREUX, et al.,

Defendants.

CASE NO. C13-5502 RBL

ORDER DECLINING TO
CONTINUE IFP STATUS ON
APPEAL

THIS MATTER is before Court on referral from the Ninth Circuit [Dkt. #30]. This Court must determine whether Plaintiff Daniel's *in forma pauperis* status should continue for the appeal, or whether the appeal is frivolous or taken in bad faith. *See* 28 U.S.C. §1915(c).

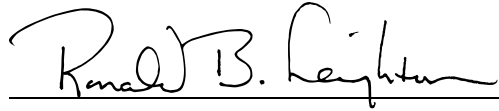
A court should "deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Tripati v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i).

Plaintiff claims he was assaulted in prison, though he made no effort (despite multiple opportunities and invitations from this Court) to plausibly link any of the numerous named defendants to that incident.

1 The claims asserted were and are frivolous and without merit. This Court will not
2 continue Plaintiff's *in forma pauperis* status on appeal.

3 IT IS SO ORDERED.

4 Dated this 18th day of March, 2014.

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7 RONALD B. LEIGHTON
8 UNITED STATES DISTRICT JUDGE
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